

**10/575626**

**1AP20 Rec'd PCT/PTO 13 APR 2006**

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q93742

Kei YAMANA, et al.

Appln. No.: Based on PCT/JP2004/015620

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: April 13, 2006

Examiner: Unknown

For: NOVEL PROTEIN AND PRODUCTION PROCESS AND USE THEREOF

**INFORMATION DISCLOSURE STATEMENT**

**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: Based on PCT/JP2004/015620

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office. Additionally, an English language abstract, submitted herewith, constitutes a concise statement of relevance for WO 01/23557.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

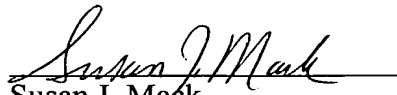
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23373

CUSTOMER NUMBER

Date: April 13, 2006

  
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Substitute for Form 1449 A & B/PTO  <b><u>INFORMATION DISCLOSURE</u></b> <b><u>STATEMENT BY APPLICANT</u></b>  <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	Based on PCT/JP2004/015620
				Confirmation Number	107575626
				Filing Date	April 13, 2006
				First Named Inventor	Kei YAMANA
				Art Unit	Unknown
				Examiner Name	Unknown
Sheet 1 of 1				Attorney Docket Number	Q93742

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US			
		US			
		US			
		US			
		US			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		WO	01/23557	A1	04-05-2001	Teijin Limited	Abstract

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		Y. OSHIMA, et al., "Expression and Localization of Tenomodulin, a Transmembrane Type Chondromodulin-I-Related Angiogenesis Inhibitor, in Mouse Eyes", Investigative Ophthalmology & Visual Science, May 2003, Vol. 44, No. 5, pp. 1814-1822	
		K. YAMANA, et al., "Molecular Cloning and Characterization of ChM1L, a Novel Membrane Molecule Similar to Chondromodulin-I", Biochemical and Biophysical Research Communication, Vol. 280, No. 4, pp. 1101-1106, (2001)	
		Y. HIRAKI, et al., "Molecular cloning of human chondromodulin-I, a cartilage-derived growth modulating factor, and its expression in Chinese hamster ovary cells", Eur. J. Biochem., Vol. 260, pp. 869-878, (1999)	
		Y. HIRAKI, et al., "Identification of chondromodulin I as a novel endothelial cell growth inhibitor. Purification and Its Localization in the Avascular Zone of Epiphyseal Cartilage.", The Journal of Biological Chemistry, Vol. 272, No. 51, pp. 32419-32426, December 19, 1997	
		Y. HIRAKI, et al., "Inhibition of DNA synthesis and tube morphogenesis of cultured vascular endothelial cells by chondromodulin-I", FEBS Letters, Vol. 415, pp. 321-324, (1997)	
		T. HAYAMI, et al., "Specific loss of chondromodulin-I gene expression in chondrosarcoma and the suppression of tumor angiogenesis and growth by its recombinant protein in vivo", FEBS Letters, Vol. 458, pp. 436-440, (1999)	
		S. LIU, et al., "Removal of Endotoxin from Recombinant Protein Preparations", Clinical Biochemistry, Vol. 30, No. 6, pp. 455-463, (1997)	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter. Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.